

# Union Calendar No. 339

108TH CONGRESS  
2D SESSION

# H. R. 2966

**[Report No. 108–513, Part I]**

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2003

Mr. RADANOVICH (for himself, Mr. NUNES, Mr. OTTER, Mr. DOOLITTLE, Mr. HEFLEY, Mr. HERGER, Mr. REHBERG, and Mr. COLLINS) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MAY 20, 2004

Reported from the Committee on Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

MAY 20, 2004

Referral to the Committee on Agriculture extended for a period ending not later than June 30, 2004

JUNE 30, 2004

Additional sponsors: Mr. LUCAS of Kentucky, Mr. DEAL of Georgia, Mr. WAMP, Mr. SHIMKUS, Mr. DOOLEY of California, Mrs. CUBIN, Mr. McKEON, Mr. BEAUPREZ, Mr. SIMPSON, Mr. LARSEN of Washington, Mr. GIBBONS, Mr. PEARCE, Mr. McCOTTER, and Mr. FILNER

JUNE 30, 2004

The Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Right-to-Ride Livestock*  
 5 *on Federal Lands Act of 2004”.*

6 **SEC. 2. USE AND ACCESS OF PACK AND SADDLE ANIMALS**  
 7 **ON PUBLIC LANDS.**

8 *(a) NATIONAL PARK SYSTEM LANDS.—Section 12 of*  
 9 *Public Law 91–383 (16 U.S.C. 1a–7) is amended by adding*  
 10 *at the end the following new subsection:*

11 *“(c) USE AND ACCESS OF PACK AND SADDLE ANI-*  
 12 *MALS.—*

13 *“(1) GENERAL RULE.—The Secretary of the Inte-*  
 14 *rior shall provide for the management of National*  
 15 *Park System lands to preserve and facilitate the con-*

1 *tinued use and access of pack and saddle stock ani-*  
2 *mals on such lands, including wilderness areas, na-*  
3 *tional monuments, and other specifically designated*  
4 *areas, where there is a historical tradition of such*  
5 *use. As a general rule, all trails, routes, and areas*  
6 *used by pack and saddle stock shall remain open and*  
7 *accessible for such use. The Secretary may implement*  
8 *a proposed reduction in the use and access of pack*  
9 *and saddle stock animals on such lands only after*  
10 *complying with the full review process required under*  
11 *the National Environmental Policy Act of 1969 (42*  
12 *U.S.C. 4321 et seq.).*

13 *“(2) RULES OF CONSTRUCTION.—Nothing in*  
14 *paragraph (1) shall be construed—*

15 *“(A) to authorize the Secretary to refuse to*  
16 *issue a permit for a new use of pack and saddle*  
17 *stock animals, including use by a commercial*  
18 *outfitter or guide, without complying with appli-*  
19 *cable resource management plans and planning*  
20 *processes required under this Act or any other*  
21 *provision of law;*

22 *“(B) to limit the authority of the Secretary*  
23 *to impose a temporary emergency closure of a*  
24 *trail, route, or area to pack and saddle stock*  
25 *animals or issue special permits; or*

1           “(C) to create a preference for one rec-  
2           reational use for any unit of the National Park  
3           System, without consideration of the stated pur-  
4           pose of the unit.”.

5           (b) *BUREAU OF LAND MANAGEMENT LANDS.*—Section  
6   302 of the Federal Land Policy and Management Act of  
7   1976 (43 U.S.C. 1732) is amended by adding at the end  
8   the following new subsection:

9           “(e) *USE AND ACCESS OF PACK AND SADDLE ANI-*  
10   *MALS.*—

11           “(1) *GENERAL RULE.*—The Secretary shall pro-  
12   vide for the management of public lands to preserve  
13   and facilitate the continued use and access of pack  
14   and saddle stock animals on such lands, including  
15   wilderness areas, national monuments, and other spe-  
16   cifically designated areas, where there is a historical  
17   tradition of such use. As a general rule, all trails,  
18   routes, and areas used by pack and saddle stock shall  
19   remain open and accessible for such use. The Sec-  
20   retary may implement a proposed reduction in the  
21   use and access of pack and saddle stock animals on  
22   such lands only after complying with the full review  
23   process required under the National Environmental  
24   Policy Act of 1969 (42 U.S.C. 4321 et seq.).

1           “(2) *RULES OF CONSTRUCTION.*—*Nothing in*  
2           *paragraph (1) shall be construed—*

3                   “(A) *to authorize the Secretary to refuse to*  
4                   *issue a permit for a new use of pack and saddle*  
5                   *stock animals, including use by a commercial*  
6                   *outfitter or guide, without complying with appli-*  
7                   *cable resource management plans and planning*  
8                   *processes required under this Act or any other*  
9                   *provision of law;*

10                   “(B) *to limit the authority of the Secretary*  
11                   *to impose a temporary emergency closure of a*  
12                   *trail, route, or area to pack and saddle stock*  
13                   *animals or issue special permits; or*

14                   “(C) *to create a preference for one rec-*  
15                   *reational use for any area of the public lands,*  
16                   *without consideration of the stated purpose of the*  
17                   *area.”.*

18           (c) *NATIONAL WILDLIFE REFUGE SYSTEM LANDS.*—  
19           *Section 4(d) of the National Wildlife Refuge System Admin-*  
20           *istration Act of 1966 (16 U.S.C. 668dd(d)) is amended by*  
21           *adding at the end the following new paragraph:*

22                   “(5)(A) *The Secretary shall provide for the manage-*  
23                   *ment of System lands to preserve and facilitate the contin-*  
24                   *ued use and access of pack and saddle stock animals on*  
25                   *such lands, including wilderness areas, national monu-*

1 ments, and other specifically designated areas, where there  
2 is a historical tradition of such use. As a general rule, all  
3 trails, routes, and areas used by pack and saddle stock shall  
4 remain open and accessible for such use. The Secretary may  
5 implement a proposed reduction in the use and access of  
6 pack and saddle stock animals on such lands only after  
7 complying with the full review process required under the  
8 National Environmental Policy Act of 1969 (42 U.S.C.  
9 4321 et seq.).

10 “(B) Nothing in subparagraph (A) shall be con-  
11 strued—

12 “(i) to authorize the Secretary to refuse to issue  
13 a permit for a new use of pack and saddle stock ani-  
14 mals, including use by a commercial outfitter or  
15 guide, without complying with applicable resource  
16 management plans and planning processes required  
17 under this Act or any other provision of law;

18 “(ii) to limit the authority of the Secretary to  
19 impose a temporary emergency closure of a trail,  
20 route, or area to pack and saddle stock animals or  
21 issue special permits; or

22 “(iii) to create a preference for one recreational  
23 use for any unit of the System, without consideration  
24 of the stated purpose of the unit.”.

1       (d) *NATIONAL FOREST SYSTEM LANDS*.—Section 15 of  
2   the *Forest and Rangeland Renewable Resources Planning*  
3   Act of 1974 (16 U.S.C. 1613) is amended—

4           (1) by inserting “(a)” before “REGULATIONS”;  
5       and

6           (2) by adding at the end the following new sub-  
7       section:

8       “(b) *USE AND ACCESS OF PACK AND SADDLE ANI-*  
9   *MALS*.—

10           “(1) *GENERAL RULE*.—The Secretary shall pro-  
11   vide for the management of National Forest System  
12   lands to preserve and facilitate the continued use and  
13   access of pack and saddle stock animals on such  
14   lands, including wilderness areas, national monu-  
15   ments, and other specifically designated areas, where  
16   there is a historical tradition of such use. As a gen-  
17   eral rule, all trails, routes, and areas used by pack  
18   and saddle stock shall remain open and accessible for  
19   such use. The Secretary may implement a proposed  
20   reduction in the use and access of pack and saddle  
21   stock animals on such lands only after complying  
22   with the full review process required under the Na-  
23   tional Environmental Policy Act of 1969 (42 U.S.C.  
24   4321 et seq.).

1           “(2) *RULES OF CONSTRUCTION.*—*Nothing in*  
2       *paragraph (1) shall be construed—*

3           “(A) *to authorize the Secretary to refuse to*  
4       *issue a permit for a new use of pack and saddle*  
5       *stock animals, including use by a commercial*  
6       *outfitter or guide, without complying with appli-*  
7       *cable resource management plans and planning*  
8       *processes required under this Act or any other*  
9       *provision of law;*

10          “(B) *to limit the authority of the Secretary*  
11       *to impose a temporary emergency closure of a*  
12       *trail, route, or area to pack and saddle stock*  
13       *animals or issue special permits; or*

14          “(C) *to create a preference for one rec-*  
15       *reational use for any unit of the National Forest*  
16       *System, without consideration of the stated pur-*  
17       *pose of the unit.”.*

18       “(e) *ISSUANCE OF RULES.*—*Not later than 120 days*  
19       *after the date of the enactment of this Act, the Secretary*  
20       *of the Interior and the Secretary of Agriculture shall issue*  
21       *final rules to define the meaning of a historical tradition*  
22       *of use of pack and saddle stock animals on Federal lands*  
23       *for purposes of the amendments made by this section.*





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A BILL

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

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